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DATE FILED: August 31, 2021

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

MICHAEL L. FERGUSON ET AL,
Plaintiffs,

-against-

RUANE CUNIFF & GOLDFARB INC.,
Defendants.

17-CV-6685 (ALC)

ORDER

ANDREW L. CARTER, JR., United States District Judge:

The Court denies DST's request for a temporary restraining order. The Arbitration Claimants are ordered to show cause why a preliminary injunction should not be issued pursuant to Rule 65 of the Federal Rules of Civil Procedure enjoining the Arbitration Claimants from instituting new actions or litigating in arbitration or other proceedings against the DST Defendants regarding matters arising out of or relating to the facts or transactions alleged in the amended complaint.

The Arbitration Claimants shall submit a response to the application, in writing, by September 21, 2021. Any response by the DST Defendants shall be submitted by October 12, 2021. The Parties shall be sure to address what, if any, application judicial estoppel should have on this application.

SO ORDERED.

Dated: August 31, 2021
New York, New York



ANDREW L. CARTER, JR.
United States District Judge